

**AGENDA**  
**BOARD OF ADJUSTMENT**  
**TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY**  
**CONFERENCE & REGULAR MEETING**  
**FEBRUARY 12, 2015 7:30 pm**

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINE LAW and proper notice has been given to the Courier; also, the Agenda has been posted in Town Hall, Board Office and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue substantially past 10:30 PM.

**Members:** Mr. Sullivan, Mr. Miller, Mr. Boyer, Mr. Smith, Mr. Siburn,  
Mr. Henry, Mr. Nappi, Mr. Delia and Mr. Sylvester

Mr. Bernstein, Board Attorney

**Roll Call:**

**Informal Review of Submitted Applications:**

**App.#2-15: Michael Lewis, 76 Hilltop Avenue, Block 3101, Lot 11 (R-20 Zone)**

Seeking approval to construct an attached two-car garage. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient front-yard setback. Nonconforming issues include principal front-yard setback and principal side-yard setback.

**App.#3-15: George Devanney, 59 Cornell Avenue, Block 1710, Lot 3 (R-15 Zone)**

Proposed inground pool with paver patio surround. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for exceeding the permitted "other coverage" ratio of 10% and the "total lot coverage" ratio of 25%. Nonconforming issues are combined principal side yard setbacks; accessory setbacks for the existing shed, batting cage and large water feature; and existing fence along rear property line (which appears to be off of the subject property).

**Applications for Review:**

**--CARRIED FROM JANUARY 22, 2015, WITHOUT FURTHER NOTICE:**

**App.#11-14: 174 Snyder Ave.BH,LLC, 174 Snyder Avenue, Block 801, Lot 50 (R-15 Zone)**

Seeking a d(1) use variance for a two-story residential dwelling built in 1910 and located in the R-15 single family zone which has been operating as a four-family home. The applicant and owner of the property would like to undertake interior improvements, most notably a relocation of the existing laundry facilities from the interior living area on the second floor to the attic area above the second floor units. Other changes include new exterior windows and removal of the existing Bilco door. The existing shed and garbage enclosure will be relocated to comply with the setback requirements or removed entirely. Relief is also needed from Section 8.1.1B.1 "Expanding a nonconforming use" due to the interior expansion into the existing attic space for use as a utility room. Existing nonconforming issues are principal use; principal front-yard setback; existing "other" coverage of 22.44%, which includes the 800 sq. ft. stone driveway (allowed: 10%); and existing shed (which encroaches into the rear-yard setback).

**App.#4-14: Berkeley Heights Realty, Inc., (Enrite gas station), 525 Springfield Avenue, Block 611, Lot 7 (HB-3 Zone)**

Application for preliminary and final site plan approval with variances for a 44' x 48' canopy over the gas station pumps and a 4' x 6' kiosk as added accessory structures to the site. The applicant appeared before the Board in 2013 (App.#26-12: Ilya Shlakman), and a Certificate of Prior Nonconforming Status of the gasoline service station and repair garage was granted by the Board of Adjustment.

**Adoption of Resolution:**

**App.#1-15: Elyse A. Tortoriello, 120 Baker Avenue, Block 903, Lot 14 (R-15 Zone)**

The proposal is to remove a detached one car garage with an attached carport and replace it with a new two car, detached garage (22' x 24' x 16' high). The existing garage and carport do not comply with accessory setback requirements; the proposed garage would be located in the same location. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient side and rear yard setbacks. (Because of the proposed 16' garage height, the 10' required setbacks for the side and rear yards would be increased to 11'.) Existing non-conforming issues are lot area, lot width, lot depth, principal front and rear yard setbacks, existing building coverage, "other" coverage, and total lot coverage, existing shed sizes, existing shed setbacks and driveway off-set from property line. The existing carport, which would be removed, is a non-permitted accessory structure.

**Correspondence for Initial Discussion:**

Memorandum dated January 13, 2015, from Tom Bocko, Zoning Officer, addressed to Dan Bernstein, Esq., Bernstein & Hoffman, on the subject of zoning coverage.

**Adoption of Minutes:**

January 22, 2015 Regular Meeting

**Adjournment:**

Connie Valenti, Secretary